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09/24/99

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

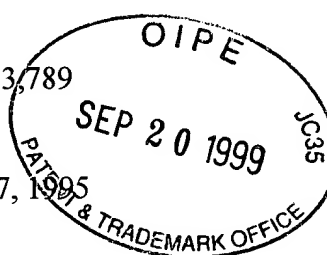
Applicant: Roy Curtiss III and Steven A. Tinge

Serial No.: 08/473,789

Art Unit: 1641

Filed: June 7, 1995

Examiner: V. Ryan



For: *RECOMBINANT BACTERIAL VACCINE SYSTEM WITH ENVIRONMENTALLY LIMITED VIABILITY*

RECEIVED

SEP 22 1999

Assistant Commissioner for Patents
Washington, D.C. 20231

TECH CENTER 1600/2900

AMENDMENT AND RESPONSE TO OFFICE ACTION

Sir:

Responsive to the Office Action mailed on June 14, 1999, please amend the application as follows. Submitted with this Amendment is a check for \$39.00 representing the fee for a small entity for one excess independent claim. It is believed that no additional fee is required with this submission. However, should an additional fee be required, the Commissioner is hereby authorized to charge the fee to Deposit Account No. 01-2507.

09/21/1999 HKAMARA 00000036 08473789

Amendment

01 FC:202

39.00 OP

In the Claims

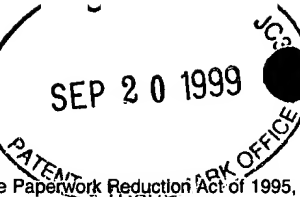
Please amend the claims as follows.

1. (Amended) An isolated microbial cell comprising an Environmentally Limited Viability System, wherein the cell is viable in a permissive environment and non-viable in a non-permissive environment, the system comprising

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SEP 20 1999



PTO/SB/17 (12-98)

Approved for use through 09/30/2000. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 1999

Patent fees are subject to annual revision.

Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12.TOTAL AMOUNT OF PAYMENT (\$)**39.00**

Complete if Known

| | |
|----------------------|-----------------|
| Application Number | 08/473,789 |
| Filing Date | June 7, 1995 |
| First Named Inventor | Roy Curtiss III |
| Examiner Name | V. Ryan |
| Group / Art Unit | 1641 |
| Attorney/Docket No. | MEGAN 100 |

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number **01-2507**
 Deposit Account Name **Arnall Golden & Gregory, LLP**

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

2. ☒ Payment Enclosed:

☒ Check ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 101 760 | 201 380 | Utility filing fee | |
| 106 310 | 206 155 | Design filing fee | |
| 107 480 | 207 240 | Plant filing fee | |
| 108 760 | 208 380 | Reissue filing fee | |
| 114 150 | 214 75 | Provisional filing fee | |

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims **38** - 20 = **0** x **39.00** = **0**
 Independent Claims **4** - 3 = **1** x **39.00** = **39.00**
 Multiple Dependent **0** x **0** = **0**

Large Entity Small Entity

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 103 18 | 203 9 | Claims in excess of 20 | |
| 102 78 | 202 39 | Independent claims in excess of 3 | |
| 104 260 | 204 130 | Multiple dependent claim, if not paid | |
| 109 78 | 209 39 | ** Reissue independent claims over original patent | |
| 110 18 | 210 9 | ** Reissue claims in excess of 20 and over original patent | |

SUBTOTAL (2) (\$)**39.00**

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 105 130 | 205 65 | Surcharge - late filing fee or oath | |
| 127 50 | 227 25 | Surcharge - late provisional filing fee or cover sheet. | |
| 139 130 | 139 130 | Non-English specification | |
| 147 2,520 | 147 2,520 | For filing a request for reexamination | |
| 112 920* | 112 920* | Requesting publication of SIR prior to Examiner action | |
| 113 1,840* | 113 1,840* | Requesting publication of SIR after Examiner action | |
| 115 110 | 215 55 | Extension for reply within first month | |
| 116 380 | 216 190 | Extension for reply within second month | |
| 117 870 | 217 435 | Extension for reply within third month | |
| 118 1,360 | 218 680 | Extension for reply within fourth month | |
| 128 1,850 | 228 925 | Extension for reply within fifth month | |
| 119 300 | 219 150 | Notice of Appeal | |
| 120 300 | 220 150 | Filing a brief in support of an appeal | |
| 121 260 | 221 130 | Request for oral hearing | |
| 138 1,510 | 138 1,510 | Petition to institute a public use proceeding | |
| 140 110 | 240 55 | Petition to revive - unavoidable | |
| 141 1,210 | 241 605 | Petition to revive - unintentional | |
| 142 1,210 | 242 605 | Utility issue fee (or reissue) | |
| 143 430 | 243 215 | Design issue fee | |
| 144 580 | 244 290 | Plant issue fee | |
| 122 130 | 122 130 | Petitions to the Commissioner | |
| 123 50 | 123 50 | Petitions related to provisional applications | |
| 126 240 | 126 240 | Submission of Information Disclosure Stmt | |
| 581 40 | 581 40 | Recording each patent assignment per property (times number of properties) | |
| 146 760 | 246 380 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 149 760 | 249 380 | For each additional invention to be examined (37 CFR 1.129(b)) | |

Other fee (specify) _____

**Represents the difference between the fee for a ☐ month extension of time and a ☐ month extension of time.

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Typed or Printed Name **Robert A. Hodges**

Signature

Date **09/14/99**

Complete (if applicable)

Reg. Number **41,074**Deposit Account User ID **01-2507**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.